GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – PR&RD – Allegation of not to pay proper attention before the 2nd QC Inspection Team on 03.08.2020 in work "Pucca Internal roads/Streets including drainage system and culverts within village under convergence funds at location ST Locality-1" in Atchaiahpalem Village of Rompicherla Mandal, Narasaraopet - CC.No.472/2022 in WP.No.24401/2021 which leads to huge embarrassment to the Government - Legal complications – Disciplinary proceedings under Rule 20 of A.P. Civil Services (CC&A) Rules, 1991 against Sri M. Era Swamy, Former EE, PRI, Narsaraopet – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG-II) DEPARTMENT

G.O.Rt.No.522. **Dated:29-06-2022.**

Read the following:-

1) First QC Inspection Report dated:25.04.2019.
2) Second QC Inspection Report dated:03.08.2020.
3) Orders of High Court of A.P, dated 25.10.2021 in W.P.No.24401 of 2021 filed by Sri Mandalapu Chinna Venkatarao, R/o. Guntur District.
4) Notice in Contempt Case No.472/2022 filed by Sri Mandalapu Chinna Venkatarao, R/o. Guntur District.

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ORDER:

It is proposed to hold an inquiry against Sri M. Era Swamy, Former EE, PRI, Narsaraopet in accordance with the procedure laid down in Rule-20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charge (Annexure-I and II). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri M. Era Swamy, Former EE, PRI, Narsaraopet is directed to submit his written statement of defence within (10) days of the receipt of this order.

4. Sri M. Era Swamy, Former EE, PRI, Narsaraopet is informed that an enquiry will be held only in respect those article of charges as are not admitted. He should, therefore, specifically admit or deny article of charge.

5. Sri M. Era Swamy, Former EE, PRI, Narsaraopet is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri M. Era Swamy, Former EE, PRI, Narsaraopet is invited to Rule-24 of the APCS (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to

(Contd..Page-2)

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his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of APCS(Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri M. Era Swamy, Former EE, PRI, Narsaraopet.
(through the ENC, PR, Vijayawada).
The ENC, PR, Vijayawada.
(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:
The PR & RD (Estt-I) Department.
SF/SC

2 Copies

DISPATCHED
Signature
Dt. 15.12.22
PR & RD (IOC) DEPT.

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST Sri M. Era Swamy, Former EE, PRI, Narsaraopet.

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CHARGE:

As per quality control norms and procedures, the 1st Quality Control Inspection on 25.04.2019 in this works i.e., I.D.No.077054021010080018 & I.D.No.077054019009080012 and proposed recovery no recovery. At that time of inspection, Sri M. Era Swamy, Former EE, PRI, Narsaraopet had worked as EE. The said 1st QC report dt:25.04.2019 was intimated to the concerned AEE, DEE & EE. Subsequently, as per the orders, 2nd QC inspection team has attended the above work on 03.08.2020 and conducted inspection. The first QC Team has proposed no recovery against the work, whereas, the 2nd QC Team Report has proposed for recovery of Rs.17,27,072/- of work. On close observation, it is noticed that, when 2nd QC Team inspected the work, the concerned AEE/AE, DEE & EE have not brought the 1st QC report to the notice of 2nd QC Team at the time of inspection to facilitate them to understand the said report and its findings. Despite having information on hand, the AEE, DEE & EE have failed to bring to the notice of 2nd QC Team about the 1st QC Report on the works. Thereby, unnecessary complications and legal issues have been arose and huge embarrassment was created in dealing with legal issues. The concerned AEE, DEE & EE should have taken care at the time of visit of 2nd Inspection Team and failed to bring the connected records including QC reports to the concerned authorities. This has caused huge embarrassment to the Government.

2. Thus, Sri M. Era Swamy, Former EE, PRI, Narsaraopet showed his disobedience of the orders issued by the higher authorities and gross negligence in attending his legitimate duties and acted in contravention of Rule 3 of APCS (Conduct) Rules, 1964.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT AND MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGES FRAMED AGAINST Sri M. Era Swamy, Former EE, PRI, Narsaraopet.

Basis:

Whereas, as per quality control norms and procedures, the 1st Quality Control Inspection on 25.04.2019 in this works i.e., I.D.No.077054021010080018 & I.D.No.077054019009080012 and proposed recovery no recovery. At that time of inspection, Sri M. Era Swamy, Former EE, PRI, Narsaraopet was worked as EE. The said 1st QC report dt:25.04.2019 was intimated to the concerned AEE, DEE & EE. Subsequently, as per the orders, 2nd QC inspection team has attended the above work on 03.08.2020 and conducted inspection. The first QC Team has proposed no recovery against the work, whereas, the 2nd QC Team Report has proposed for recovery of Rs.17,27,072/- of work. On close observation, it is noticed that, when 2nd QC Team inspected the work, the concerned AEE/AE, DEE & EE have not brought the 1st QC report to the notice of 2nd QC Team at the time of inspection to facilitate them to understand the said report and its findings. Despite having information on hand, the AEE, DEE & EE have failed to bring to the notice of 2nd QC Team about the 1st QC Report on the works. Thereby, unnecessary complications and legal issues have been arose and huge embarrassment was created in dealing with legal issues. The concerned AEE, DEE & EE should have taken proper care at the time of visit of 2nd Inspection Team and failed to bring the connected records including QC reports to the concerned authorities. This has caused huge embarrassment to the Government.

2. Thus, Sri M. Era Swamy, Former EE, PRI, Narsaraopet failed to obey the orders of higher authorities and gross negligence on his legitimate duties. Thus by the above mentioned acts, he failed to maintain absolute integrity, devotion to the duty and conduct unbecoming of a Government Servant and thereby contravened the Rule 3(1) & 3(2) of APCS (Conduct) Rules, 1964.

Hence, the charge.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

6067371/2022/VIG-II-PRR01

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST Sri Sri M. Era Swamy, Former EE, PRI, Narsaraopet ARE PROPOSED TO BE SUSTAINED:

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1) First QC Inspection Report, dated:25.04.2019.

2) Second QC Inspection Report, dated:03.08.2020.

3) Orders of High Court of A.P, dated 25.10.2021 in W.P.No.24401 of 2021 filed by Sri Mandalapu Chinna Venkatarao, R/o. Guntur District.

4) Notice in Contempt Case No.472/2022 filed by Sri Mandalapu Chinna Venkatarao, R/o. Guntur District.

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGE AGAINST Sri M. Era Swamy, Former EE, PRI, Narsaraopet IS PROPOSED TO BE SUSTAINED :

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- NIL -

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED :: BY ORDER //

SECTION OFFICER